

A (8)
A SERMON

—ON—

Lynch Law _____

_____ and **Raping.**

—PREACHED BY—

REV. E. K. LOVE, D. D.,

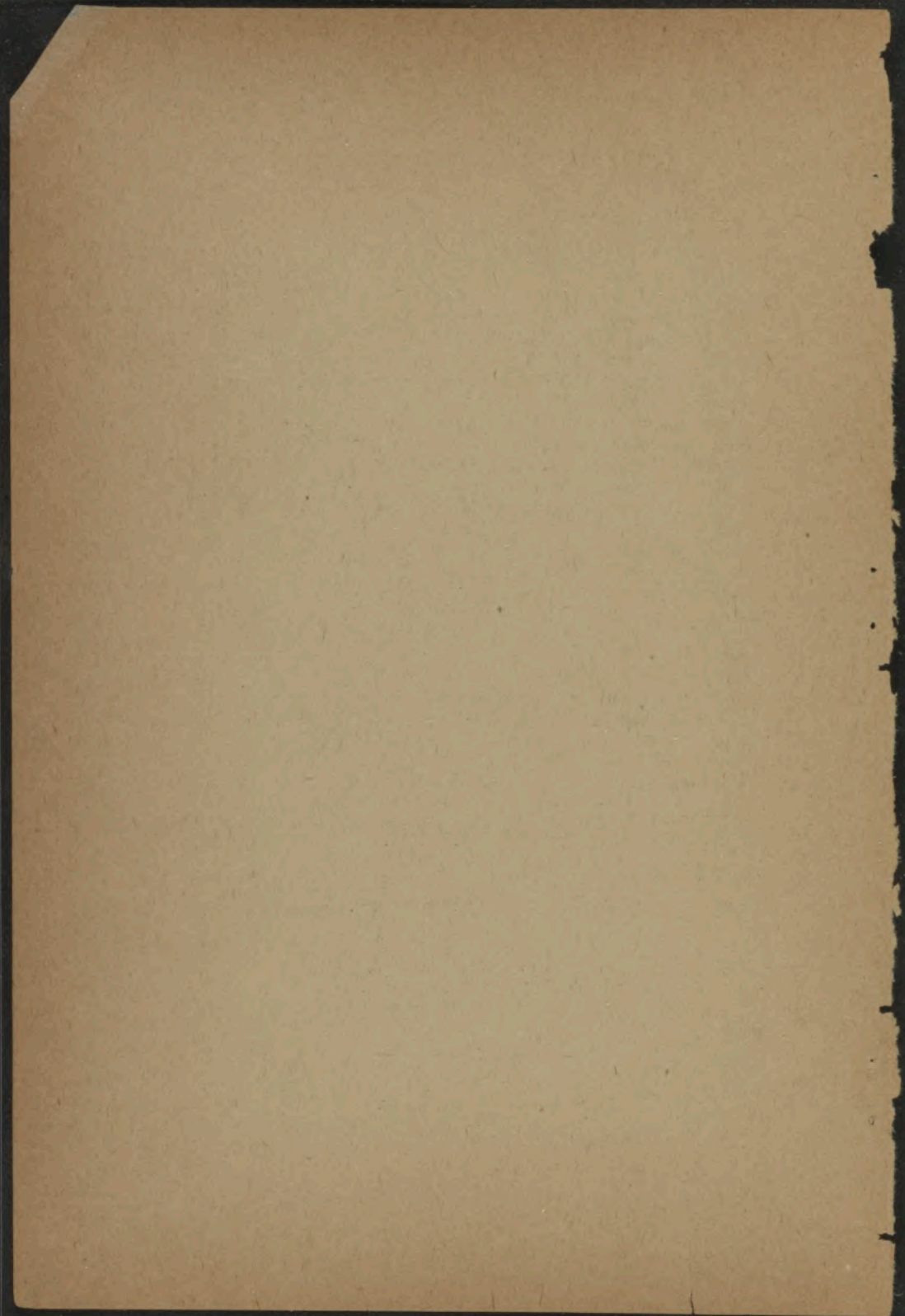
—AT—

1st. African Baptist Church, Savannah, Ga.

OF WHICH HE IS PASTOR,

NOVEMBER 5th, 1893.

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AUGUSTA, GA.:
GEORGIA BAPTIST PRINT,
1894.



PREFACE.

THE author, in presenting this humble discourse to the public, does so with the earnest wish that it may do some good in causing men to think, creating a sentiment in favor of supporting the law, arousing good people every where to condemn and put down ravishers and lynchers and removing these awful crimes from our lovely southland.

The author is satisfied that abuses will not stop these lynchings, nor will lynchings stop the rapings. Lynching revenges and raping increases. The remedy is in law and reason. Outrages on the one hand beget outrages on the other hand. This is in accordance with the well-known fact that like begets like. Our southern people are a reasonable people and naturally kind-hearted, especially toward the Negroes. In many things they have no superiors on earth for kind-heartedness. Perhaps no people on earth would have done better than these southern white people under the same circumstances. They are simply mistaken in their idea that lynching is the best remedy for raping. This mistake is, perhaps, intensified by the atrocity of the crime—rape, which provokes the lynchings. The author endeavored to take a fair, honorable position and shall beg no pardon for the position taken in this discourse. The sensible Negroes and conservative whites should unite and frown down these outrages. This can best be done by conservative talk, fair reasoning, confidence and patriotic co-operation.

Let us appeal to these white people as our friends. As long as we stand off and scold them and regard them as our bitterest enemies, we can never reason any subject of difference with them.

The author presents this discourse to the fair consideration of both white and black wherever it shall be read.

Praying the blessing of the Lord upon this discourse and all who read it,

I am yours in Jesus,
E. K. LOVE.

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WHAT OTHERS SAY ABOUT THE SERMON.

A SERMON ON LYNCHING.

Rev. E. K. Love on Lynch Law and the Crime Which Provokes it. An Appeal to let the Law of Justice Take its Course--The Consequences which would Follow an Uninterrupted Sway of Lynch Rule--The Position of the Church and the Great Body of Intelligent Negroes.

The First African Baptist church was crowded last night to hear the pastor, Rev. E. K. Love, preach on the subject of "Lynch Law and Raping." There were fully 1,500 people present, about thirty of whom were whites.

The sermon was an effort which would have been appreciated by any cultured audience, and better still one that would have been approved by any intelligent congregation in any section of the country.

Dr. Love's position is thoroughly sound and in line with the best sentiment upon the subject of Lynch Law and the crime which provokes it. The delivery of the sermon occupied an hour and a half, but the congregation showed no evidence of weariness.

"There is a demand," said Dr. Love in announcing his subject, "that the Negro say something on this question. His friends every where are asking his position on the subject of rape and lynch law and it is time that he should announce his position. What I propose to do, is to state the position of the First African Baptist church, of Savannah, and what I believe to be the position of the best element of the colored race every where."

THE CHURCH VOTES.

A vote of the church was taken at the conclusion of the sermon, endorsing it as the sentiment of the church. The indorsement was unanimous. Dr. Love was congratulated by a number of the white people present, upon the position he had taken, and the able manner in which he had expressed it.—*The Morning News*: Savannah, Monday, November 6th, 1893.

A SERMON

—ON—

Lynch-Law and *Raping*

—PREACHED BY—

REV. E. K. LOVE, D. D.,

November 5th, 1893.

“^{††} **W**HEREFORE if Demetrius, and the craftsmen which are with Him have a matter against any man, the law is open and there are deputies: let them implead one another.”

“But if ye inquire any thing concerning other matters, it shall be determined in a lawful assembly.

“For we are in danger to be called in question for this day’s uproar, there being no cause whereby we may give an account of this concourse.”—Acts xix:38-40.

I appear before you to-night to discuss a subject which is of vital importance to the American people and especially to my race. It is time that the Negroes themselves should say something about this matter which is attracting the attention of the civilized world.

It is high time that we should take a position and let the world know our position. We have held our peace too long already. Every Negro pulpit should speak out on this subject.

To begin with, I state most positively, that I have no sympathy for the ravishers nor do I weep at their death. Every guilty man of them ought to have died. I object to the manner by which they were put to death. In this, I do, as every civilized man should, stand forth for law and order.

I would say to my race especially, that our only hope and safety lie in our strictest obedience to law and our unqualified support of the officers of the law. It is only then we rise to the sublimity of citizenship. Let us not seek to defend our criminals. They do us more injury than they do to others. We will be measured by them and we cannot reasonably object as long as we defend them, for then we will become accessories after the fact and thus become partakers of other men’s sins. I regret that most of the lynching is done in the south and that most of the victims are Negroes. I regret most of all that such awful crimes are charged against us which provoke these lynchings. It is unfortunate that these crimes are laid at our door even if the accusers are mistaken. The south is our home, and all talk about the Negroes leaving the south to any very great extent, is the sheerest folly. Even those who have left the south have not bettered their condition. Since the Negroes must remain in the south, it is good sense, indeed, it is the highest duty to do all in their power to make the south the glory of all the world. The fact

that most of these lynchings are done in the south and that most of the victims are Negroes lends, at least, the suspicion that there is foul play, affords material for political capital, forms an excuse for ambitious, wicked, designing politicians to keep the fire of dissention and race hatred in an everlasting blaze and to continue the waving of the bloody shirt and thus causing eternal unrest and the most intense anxiety among our people.

The sensible conservative Negroes are disgustingly tired of this sort of stuff and painfully regret any and every occasion that conserves its perpetuation. These things do the south no good and whatever injures the south, injures us. It is nonsense to suppose that a man's home can be injured without injuring him. To injure a home of a people the weakest and poorest of them are injured most. An apt illustration of this is unmistakably before our eyes in the yellow fever epidemic at Brunswick. It injures the whole people, but it injures the Negroes worse because they are poorest and weakest. Financially weakest. They could not get away and had not enough laid up to go upon, and hence, suffered most.

The uproar at Ephesus would have ended in a lynching but for the timely intervention of the town clerk.

The sound argument which he used then may be still used in this advanced age of Christian civilization to suppress the mad, barbarous, blood-thirsty mobs that are disgracing our country and especially our southland, and which are rapidly forcing good people to the conclusion that we are uncivilized and that it is unsafe to live among us. As horrible as raping is, lynching is infinitely worse. In the case of rape, a woman is ruined, a family disgraced and a community is outraged; but lynching is not only the inhumanly taking of a man's life, but it disgraces our civilization and destroys our government. The ravishers can be punished far more effectually by law and be killed just as dead by an officer of the law as by 500 masked outlaws. If shooting and hanging are not bad enough, then let the terrible penalty of Duillius be added to our statute books, that whosoever commits rape, "shall be burned alive" or any other barbarous or inhuman death. Only let our law say so. If there is a fear that the courts may be too slow in bringing the criminals to justice, let the law remedy that. What I shall contend for is the supremest respect for the law. It is the only safeguard of any people. So soon as a people begin to over-ride their laws, they begin to undermine their government, and unless there is a stop put to this disrespect for the law with a terrible crash, ere long this wonderfully glorious temple will crumble upon its worshippers. As American citizens, we should be satisfied at nothing short of the strictest obedience to the laws of our country. It is the only way to make a great country and to have a happy, prosperous people.

Our text admonishes us that

I. The law is open. There are deputies and to implead one another.

RAPE.

The charge that is laid at our door which provokes these lynchings is rape. Rape is a great sin against society and against God. There is a part which the Negroes themselves must first play in this matter. We must insist upon it that our people stop committing the

crime for which they are lynched. The horrible crime of rape is calculated to excite any virtue-loving people to intense indignation, and the offenders had just as well understand first as last that it will not be tolerated.

The brutes who commit this terrible crime are not worthy to live among good people, and we should be careful not to let one word of defense of them fall from our lips. They ought to die. It is punishable by death, even in Africa. There is not a virtue-loving people on earth that will put up with it. It is our duty to help put it down. We should speak in the severest condemnation of this awful sin. I regret to say that in every case, so far as I have seen, we have only denounced in unmeasured and unguarded terms the lynching of the Negroes, without censuring even mildly the ravishers. This one-sided action on our part has injured rather than helped our cause. While we have condemned the dreadful inhumanity in the lynchers, we should have considered the flagitious immorality in the ravishers; a ruined woman, a disgraced family and an outraged community; and should have expressed our disapprobation accordingly. Let us as American citizens denounce crimes in toto as they affect our government regardless of who commit them. This is the only wise and patriotic position to take.

The idea that a Negro is a democrat and a traitor to his race because he disapproves and condemns the wrong in his people must die. We must take broad views as American citizens and love, defend and protect our government. It is high time for us to frown down the political disturbing elements among our people and by industry, honesty, sobriety, strict economy, respect for, obedience to and support of law, work earnestly to ameliorate our condition and to carve out our own destiny. It is our paramount duty to urge our people not to commit crimes that will form an excuse for the appalling outrages that are now of every day occurrence that when we appeal for protection, that good people will not be forced to say, that they hardly blame the lynchers, that we deserve our fate, and that under the same circumstances they would have done the same thing and that the crime was of such a revolting nature that the lynchers were insane for the time.

I do not mean to admit that all the reported cases of rape are true. I blush to admit that any of them are. Yet we can but admit that some of them are true. It is a disgrace upon our whole race that any of these reports are true. Since we are the disgraced and this thing is injuring our whole race, we should leave no stone unturned to discouraged and stop those of our people who are so disposed, from committing rape on white women. I know that I voice the sentiment of the better class of my people when I say that these assaults must stop.

When the white men were in the war we had no such atrocious crimes laid at our door, when we could have done so then with more impunity. Now in this day of freedom and enlightenment that we should be guilty of such flagrant outrages is very humiliating to the considerate Negro. As for my part, I am uncompromisingly opposed to race intermingling on any terms, legal or otherwise. If I had my way I would brand and banish with cropped ears everybody who leaves my side of the line and goes to the other side and everyone who

comes on my side. I believe in race friendship, confidence, respect, and even co-operation, but not in intermingling. For this reason I am opposed to the so-called social equality. For the same reason I declined to lead a fight against the separate coach bill when our Legislature was considering that measure. Because of the tone of society among us and want of race pride, and a healthy sentiment along that line, the Negroes have more to lose in the intermingling.

There is such a healthy sentiment among the white people, that if the Negroes cross the line they must do so by force and this is rape, and for this they must die and this we must approve. It would be the same with white men forcing themselves on our side if we had the sentiment worked up among our women that it is death to cross the line. Be it said to our shame, that some of our girls and women can engage in this business and can even marry our best and hardest working young men. This is sometimes done even after they have become mothers. As long as this is the case, we cannot work up a healthy sentiment among us along this line. If for this state of things, the vile class of Negroes mean to get even with the whites by raping their women, they should and must die, every guilty man of them. Not in one case out of a thousand is a colored woman raped by a white man and hence the raping of white women cannot be in retaliation. In the case before us, Demetrius and his fellow-craftsmen had worked up a mob to do violence to the Apostles, because by their preaching the gospel, their business had been very much injured in that there was not such a demand for the sale of the silver shrines. Anger and the thirst for blood made them forget that their law remedied the very evil of which they complained. Demetrius felt that these aliens were not only disturbing the peace of the community, but injuring their business, closing their factories, interfering with their worship, insulting their faith, throwing many men out of employment and crying down their goddess Diana, and that they were entitled to no mercy at their hands. He laid down as a principle that the art and mystery of making silver shrines for the great goddess Diana should be supported. He did not appeal to the law, nor to the magistrates, but he appealed to the mad mob, whose reasons had been dethroned, whose passion had been inflamed and who were not competent to adjust matters according to law at their best.

He succeeds in filling them with madness and prejudice and then appeals to them for redress and justice. Happily at this time the town clerk appears on the scene and after making a cunning speech in the highest praise of their goddess Diana and affecting to believe that she fell down from Jupiter and that it was nonsense to suppose that anybody could gain say or do anything against their goddess Diana, admonished them to do nothing rashly and that the law was open and that they should proceed against these men according to law. The inference is that it is court day or that the court is now in session, and that they could have a speedy trial, and that as good citizens they should take this matter into the courts. It would seem a reproach upon our civilization, that we should have to be admonished by a pagan of that remote age to settle our differences by law; and yet infinite wisdom saw fit to send this heathen's words ringing down to us through all the ages, "The law is open implead one another." In this case, one idolater with a courageous heart and words of wisdom, suppressed a raging mob of hundreds of idolaters, preventing

the lynching and quietly dismissed the crowd. And in this civilized christian land thousands claim to be opposed to lynching, and yet cannot prevent a lynching, even after the helpless prisoners are in the clutches of the law and chained down in jail. Every attempt to protect the prisoner's life is followed by bloodshed and death. When resort is had to law the results will be better and will the more effectually prevent the re-occurrence of these crimes.

There is something in the nature of law to prevent crime when it is allowed to take its course.

The administration of stern justice adequately, for the violation of law, always has a happy effect upon the lawlessly disposed.

To air a man's crime in the courts and have him executed according to law, tends to make men think and creates a profounder respect for the law. It educates public opinion and that is always an important element in any government. Mob violence creates more evils than it corrects. It is flooding our country with the most desperate criminals and the most cruel, inhuman and heartless murderers.

Since it cannot be denied that raping and lynching are on the increase, the logical conclusion must be, that lynching is not the remedy for rape. This all sensible men are beginning to see—The remedy is in the open law. Implead one another there. I quote here a letter of Dr. J. A. Broadus, President of the Southern Baptist Theological Seminary, from the *Courier Journal* of Louisville, Ky., September 27th, 1893 :

"Everybody can see that lynching grows worse and worse. Such practices are contagious. Public discription of one case suggests another, where it might not have been thought of. What in the world will all this lead to ? As a permanent and growing practice, lynching must be destructive of civilization. Is this statement too strong? Think a moment and see if it would not be so.

"Now the apology for lynching must lie in one of two things : Some say that our laws and our courts cannot be relied on to punish as such outrageous criminals ought to be punished. Others tell us that lynching will be more likely to strike terror into brutish criminals, than the slow and dull processes of law.

"As to this last point, I gravely doubt whether the view is correct. Even the lowest of mankind are not brutes. They have some notions of right and wrong ; something of what we call conscience. If you try to restrain such a man from great crimes only by fear of lynching, you excite the brutish elements in him, and do not appeal to the human elements. He thinks to himself, that if he gets caught he will be lynched, and he simply rages at the thought and really considers himself as in such a case the innocent party. Besides, he hopes to escape. He feels cunning. He thinks maybe some other fellow will be caught and lynched. Everybody knows that this does sometimes happen, though the parties engaged in lynching naturally cover it up after the mistake is ascertained. The tempted criminals grin to think how some other fellow may be swung up while he goes free. Altogether it is a form of punishment that does not strike terror, certainly not so much as many seem to imagine.

"On the other hand, if the law is properly administered, there is something about it that appeals to the human in a tempted wretch.

"I was glad to see the *Courier Journal* the other day expressing a similar persuasion. The idea of having all the facts searched out and

proved against him, having his guilt fully established, and then having to wait for weeks, with the knowledge that at last he will be hung, there is really something more terrible about this than attaches to the prospect of lynching. But the great trouble is, people say, that the laws are sometimes inadequate, the punishment provided is not severe enough, and, especially, the lawyers can manage to have guilty men escape if there is any money in the case. Now there is some ground for this view.

"There has been a tendency, in recent generations to so tone down the punishment for the highest offenses and to sympathize with or pity, a vile criminal as rather unfortunate than guilty. There is a sort of sentimentality abroad in regard to criminals, by no means universal, but pretty widely diffused. And it cannot be denied that some lawyers manage to delay a case until public indignation has subsided, and then perhaps, the guilty man may go free, or may encounter only a modified punishment.

"Lawyers are like the prophet's figs—the good are very good and the bad are very bad. Some of the noblest men in the world are judges and lawyers; but those who yield in early life to the temptations of their calling, do sometimes become very bad men, and processes of trial, designed to save men from hasty condemnation and excessive penalties, are not unfrequently manipulated in the interest of the guilty. What then?

"Suppose that some horrid crime has been committed; some outrageous arson, or murder, or rape. When hasty spirits propose lynching, the plea is always made that the courts cannot be relied on. Now suppose that instead of lynching, a public meeting should be held, in which many thoughtful and judicious citizens take part. Let the *prima facie* facts be stated in the meeting; let a large committee be appointed, representing different classes of the community, according to the circumstances of the case; and a smaller Executive Committee; let the meeting urge, and the committee see to it, that the case shall be pushed along without any undue delay; let the lower grade of lawyers perceive that public opinion will not tolerate any tricks of delay, let a second meeting be held if necessary, or at any rate let the committee make itself felt, insisting upon promptness and pains-taking justice; thus the high wrought feelings of the community would find expression in a way tending to speedy results, while yet the requisites to civilized would be respected and observed.

"I have mentioned that the law sometimes fails to impose adequate penalties. The most offensive of all crimes, the one that oftenest occasions lynching, quite differently punished in different states. By the help of my friend, Judge W. O. Harris, I offer the following facts as to the penalty of rape in the southern states—not stopping to point out the distinction made in some states, according to the age of the victim:

"In Arkansas, Florida, Louisiana and North Carolina it is punished by death; in Alabama and Kentucky by death, or confinement in the penitentiary for life, in the discretion of the jury; in Georgia, Maryland, Missouri, Tennessee, Texas, Virginia and West Virginia by death, or confinement in the penitentiary for a term of years, in the discretion of the jury; in Mississippi by confinement in the penitentiary for life; in South Carolina by confinement in the penitentiary for a term of not less than ten years.

"Now if any think that in their state the penalty is inadequate—as I must confess that I think in regard to several of the cases mentioned—let them earnestly work with the next Legislature. That may do a great deal of good and cannot do any great harm.

"Besides the general evil of lynching upon which I will not enlarge, there are two special evils appertaining to the practice in our southern states. I write as a southern man, having spent my life successively in Virginia, South Carolina and Kentucky. We southern white people are trying to deal with the most formidable problem that civilized mankind ever had to face. Besides a great many ignorant, and often degraded white people, we have this mighty mass of colored people. We must not forget that the Negroes differ widely among themselves, having come from different races in Africa, and having had very different relations to the white people while held in slavery, many of them are greatly superior to others in character, but the great mass of them belong to a very low grade of humanity. We have to deal with them as best we can, while a large number of other white people stand off at a distance and scold us. Not a few of our fellow-citizens at the north feel and act very nobly about the matter; but the number is sadly great who do nothing and seem to care nothing but to find fault.

"Now, from the very nature of the case, most of the crimes which among us have been punished in this epidemic of lynching, have been crimes committed by Negroes. When a Negro murders a white man, or outrages a white woman or child, it excites in us a wrath all the greater because of race feeling. Every white person in the United States would feel the same way if placed in the same circumstances, except some few who fancy they ought not to feel so, and then persuade themselves that they do not.

"If a Negro brute outrages a white girl, may be a child, it stirs in us white men a wrath almost intolerable. But here we are with these great and frightful difficulties confronting us and imperiling civilization.

"Now, if we go on lynching and when northern newspapers complain, we merely rake up cases of northern lynchings too, and defend ourselves by saying: "You are another," we tend to repress sympathy of the better class of our northern fellow-citizens. If we can stop the lynching and administer prompt, stern, but real and civilized justice, then the better people at the north will more and more sympathize with our grave difficulties and in many ways will help us as we strive to overcome them. Besides, there is the public opinion of the colored people themselves. Some of the educated Negroes are demagogues, and it would be wonderful if they were not; it would be a new reason for questioning the unity of the human race, if they were so different from the white folks. But there is a goodly number of intelligent Negroes who really take sound and wholesome views of the situation. If we continue to tolerate lynching, with the victims black men in nine cases out of ten, we lead those better Negroes to think that we are the enemies of all their race. If we do not provoke race conflicts, we alienate the better class from the support of justice and government and civilization.

"Now, then I appeal to thoughtful men wherever the *Courier Journal* is read, will you not come out and condemn the business of lynching? Will you not openly discourage and oppose and stop it?

We can stop it. Is not this our duty? Is it not high time? I respectfully ask editors of other papers to publish some part of this article, or to write something about the matter. I ask intelligent people all over the south to reflect upon the subject, to tone up public opinion by their conversation. Men and women, this thing is wrong, and getting worse, and tending to be ruinous. I pray you think, speak out, act in such ways as you deem wisest. I will not apologize for publishing this respectful appeal.

"As a minister of religion, I take no part in the manipulations of party politics, though careful to vote at every election, since voting is surely one of the highest duties of our American citizens. But this is in a sense a question of party politics. It is a question of justice of fundamental right, of essential civilization, of human welfare."

JOHN A. BROADUS.

Louisville, Sept. 27, 1893.

This earnest plea for a trial by jury of all criminals from this great man, will not, it is hoped, be without effect. Dr. Broadus speaks from the depth of his soul. He sees the harm these outrages are doing the country and especially the south.

I, as a Negro, want to show Dr. Broadus and other fair-minded white men, that I am as loyal to the south as any man in it and I will pledge to do all in my power to change this sad state of things. There must be a change.

THERE ARE DEPUTIES.

The deputies were Roman Proconsuls appointed to preside over provinces, to try cases, settle disputes and give exact justice. The town clerk seemed to imply that this officer was in the city. It would have been an insult to Rome for these people to have taken the law into their hands and have punished these men when she had appointed officers to try such cases. It would not have been a question whether or not these men were guilty, but what right had this mob to punish them? Why did they not implead them in the open court, when the deputy was in town? For this purpose the courts were established. By a fair and impartial trial, where all the facts are brought out and a verdict rendered accordingly the law would be vindicated, the criminal adequately punished and every good citizen satisfied. Civilized christian manhood cannot afford to stoop so low as to do injustice to, or to treat inhumanely the humblest citizen. This is not necessarily out of love for, sympathy with or recognition of the criminal, but for the respect we have for the law, ourselves, and our boasted civilization. The criminal does not deserve our respect, but the law does. It is the divine plan to try criminals by law and convict them by the evidence of two or three witnesses. Our Constitution declares that no one shall be deprived of life without due process of law. It gives a citizen the sacred right of trial by jury and of meeting his accusers face to face and of bringing witnesses to testify in his favor. A resort to lynching is in obedience to our lower nature which is debasing to humanity and which all good people will scorn. Every good citizen is sacredly obligated to uphold the law and to see to it that it is obeyed.

The effect of lynch law upon the rising generation will be inexplicably awful. They will grow up blood-thirsty, savage outlaws, and soon we shall have a nation of the most vicious and terrible murderers. Every day's paper will bring to us most horrifying narratives of the

most ruthless, cruel, and inhuman murdering of whole families, of cities flowing in blood and consumed in the raging flames. It will be an every day occurrence to hear the most pitiable screams of women and children and the dying groans of men weltering in their blood, and as these cries are hushed in death, the raging flames of consumed buildings and the boiling of human blood in the streets will continue the awful song.

The offense rape will not always lie at the bottom of these outrageous murders. Already people are being lynched for crimes if they were guilty of which would only give them a few years in the penitentiary or a few months on the chain-gang, in a court of justice. It is gratifying to note the tone of the Southern press on these dreadful outrages. I give here a few quotations. These editorials show conclusively that lynching is no more endorsed by the best white people than raping by the best Negroes. Unitedly we can stop both.

CLIPPINGS FROM SOME OF OUR LEADING SOUTHERN PAPERS.

"At first lynch law was only resorted to as a punishment for felonious outrages upon women. But the spirit of lawlessness never stands still. Give it an inch and it will take a mile. The men who delight in lynching have grown bolder, and they now murder the kinsmen of a criminal who refuse to reveal his hiding place, and whip a woman for the crime of being true to her religious convictions, and burn gin houses because their owners will not hold their cotton until the price reaches ten cents. All this would indicate that our civilization is only skin deep. There is an inexhaustible layer of barbarism just under the surface, and a mere scratch reveals it.—*Atlanta Constitution*.

"Mob law is breeding a race of savages. The young men and boys who engage in this bloody business will as surely grow up to be blood thirsty and cruel as the tiger will become a man eater after tasting human blood. Unless these scenes shall end and the rule of law be restored, the mob will drive all the better class of people from the South and give it over to outlawry and ignorance. The evil has progressed so far that none but a blind man can be insensible to the enormity of the peril that hangs like a black cloud over the Southern States. The prevailing conditions are surely tending to a crisis of blood and horror. The earnest, thoughtful, and patriotic men of the South must give themselves to the work of redemption as to a task appointed of God and blessed with His benediction.—*Memphis Daily Commercial*.

The Roanoke Times denies that Roanoke, during the recent popular outbreak against the lawful authorities was a mobbed-ruled city, and characterizes the statement of the *Index-Appeal*, and other papers to that effect as false.

The *Times* should be more careful in the choice of its language at a time when it has everything to palliate and nothing to gain by controversy. Its attempted vindication is neither ingenious nor ingenuous. If a city is not mob-ruled when a mob takes a prisoner from the lawful authorities, and hangs and burns him, and then creates a state of terror, such as to cause officials and other persons to seek safety in

flight and concealment, in the name of common sense when is a city mob-ruled and what is mob-rule?—*Petersburg, (Va.) Daily Index Appeal.*

It will not do to say that such cases of violence are due to any fear that justice will not be done. There was no question that these two murderers, if caught, would be tried speedily and punished justly. But that was not what the mob wanted. They wanted the sight of blood. It was the instinct of cruelty which actuated them. They were not civilized much less were they christian people. They were savages, barbarians! We talk of Kurdish atrocities, of African cannibalism, of Indian tortures, but nothing more atrocious or horrible is enacted anywhere by any savages on the face of the earth. Are we a nation of barbarians?—*New York Independent.*

"We do not believe that there is any section of the South, however small, where mob law is endorsed by public sentiment; and yet the men who make up murderous mobs go unpunished. Law-abiding men are in the majority everywhere, and yet they permit the lawless to defy the authorities and treat the State with contempt. Why is this the case? The reason is plain and humiliating. Good men are cowards while bad men are aggressive. The good submit with a protest, while the bad run rough shod all over opposition. It is time for southern manhood to wake up. We boast of our chivalry and we have a right to. Our people have a history to be proud of, but every heroic deed of the past but brands with deeper disgrace the howling mobs, who, safe in their numbers, attack and murder defenseless men. If our laws do not punish crime we should mend them. We certainly should not turn over our temples of Justice to men who are unworthy to enter them except to receive punishment for their crime.—*Jacksonville, (Fla.) Daily Times-Union.*

I confess that as a citizen of the South I feel very much humiliated when I read such as this about my home and these are but a few out of many such things that are being said about the South.

II. Mob violence inexcusable and all matters should be determined in a lawful assembly.

There was no need of lynching the Apostles. The Ephesians had everthing their own way. The Apostles had, at most, but few friends in Ephesus, and perhaps none, who would interpose for them in a public way. There was scarcely an Ephesian who was not in some way personally interested in the cause to which the Apostles were defendants; hence any jury that might have been selected would have been prejudiced against the defendants, and upon any technical grounds that the law could have been made to sanction, would have brought in a verdict of guilty. They had the privilege of, and they were honor bound to try them by their law. There might have been some excuse for lynching had they been compelled to try them by alien laws. If, as the Jews said to Pilate on the trial of Christ, they could have truthfully said, "We have a law, and by our law he ought to die," then there might have been an excuse for lynching. Lynching could have

been and can be defended on no other ground than that punishment by law is impossible. It will not do to say that the provocation is such that the lynchers are justifiable. That dishonors our education, disgraces our civilization, slanders our christianity, disrespects our law, undermines our government, and declares our people to be a set of ungovernable, ferocious brutes, hinders the developement of the greatness of our country and as blind Samson at the festival at Gaza, throws down our temple of liberty upon its votaries.

If when a man is arrested for rape, a mob is raised to rescue him from the clutches of the law, then should a counter mob be raised and kill the wretch rather than have him escape justice, then it would be far more more excusable.

In this country, situated as the Negroes are, a case of lynching is never justifiable. If the woman assaulted is white, there can be no possible escape for the Negroes. The Judge is white, the jury is white, the lawyers are white, the Sheriff is white, the Jailor is white, and as Doctors Broadus and Haygood say, race blood will assert himself,—the Negroes must die. It will not do to say that our people are so weak, vicious, brutal, satanic, and uncivilized that they have no faith in their own laws, which they, themselves, have made, and cannot wait with even enough patience for their courts to convene to try their criminals, that they prefer to stain their hands in human blood in unlawful assemblies. To say this is to admit that it is unsafe to live among us, and that we resort to murdering and the most heartless outrages for amusement; that we determine no trying cases in a lawful assembly; that we respect law so long as it suits us and when we are not mad; but when the trying provocation comes, as Dr. Haygood puts it, we get "insane for the time," and hence it must follow that we are not responsible for our action under this spasm of "insanity."

The Lord only knows how far this "insanity" business will go, and He alone knows to what extent it has and will injure this country and especially our lovely southland, the paradise of the globe. Just how much this "insanity" argument palliates our awful crimes in the eyes of the civilized world, Dr. Haygood is better prepared to say than I am. If these burnings and murders are put on the "insanity" doctrine for a defense, I plead for a house of correction for the many hundreds of spasmodic "insane" people that abound in our favored country. I plead not for the criminals. I have no pity for them. I plead that these matters should be determined in a lawful assembly.

Brute force is a dangerous element in any government. It is destructive to prosperity, happiness, and liberty and is the parent of no good. Every good citizen should discard and unite to exterminate it. The Almighty has ordained that matters of difference should be adjusted in a lawful assembly, that reasonable men should implead reasonable men before reasonable men in a lawful assembly.

The officers of the law are just as much opposed to these crimes as those who compose these lawless mobs. Lynching is as much a violation of the law as raping. There should be a resort to law however atrocious the crime charged may be, as it then would be less likely that the innocent would be killed. It cannot be denied that the lynchers sometimes have killed the wrong man. This could and would have been avoided in a painstaking, lawful assembly. However enraged a people may be at the assault upon a woman, surely they do

not want to kill the innocent and this can best be avoided in a lawful assembly.

There can be nothing more horrifying to a refined, honest, fair-minded, law abiding, upright christian gentleman than the riddling with bullets, hanging and burning of an innocent man, and yet this is possible under a system of lynch law. Indeed I regret to state that this has occurred. The lynchers can hardly justify themselves by saying that the man confessed his crime. He did not do so in a lawful assembly nor in the presence of lawful witnesses. For these men, themselves, were assembled for the purpose of committing an unlawful act. Before the bar of civilized opinion, they stand charged of the foulest murder known to the annals of history, and hence, I gravely doubt that they are competent witnesses.

The great American liberty-loving people will not wait much longer for these outrages to stop. They will arise in their majesty and might and demand a halt to these savage outrages.

The action of these mobs show that they are not after a mere punishment of these crimes, but that they are seeking in the most barbarous manner, revenge. For they hang, shoot and burn. Either one of these deaths is barbarous enough. I think that no tribunal on earth would give sentence for more than one of these at the time and yet our civilized, christian people give all of them at once. This shows that these men are utterly unprepared to take the law into their hands. If they are justifiable in one case, they would be justifiable in all.

Pushing this argument further to its logical conclusion we would have no need for courts to administer the law, for Legislatures, nor Congress to make laws, and hence every lawful assembly would be destroyed in our country and every man would be a law unto himself and would punish crime as his senseless passion might dictate. Indeed, no man in this country would be safe.

Law is that principle which governs a people and regulates their affairs and promotes their truest interest. Wise and equitable laws, fairly interpreted and impartially administered, will meet every emergency of a people. Happily for us, we can boast of such laws and there is absolutely no need to over-ride them. Lynch law is a sad reflection upon the courts. The lynchers in effect say that the officers of the law are unreliable; dishonest and cannot be relied on to punish criminals in accordance with their oath. Surely the lynchers will not presume to say that they know more about the law than the officers of the law. I ask, therefore, in all seriousness, what is the objection to the law taking its course? I have yet to see or hear a reasonable excuse for lynching and surely a thing for which not a single reason can be given ought to be abandoned.

III. We are in danger to be called in question for our conduct.

Webster says, "Lynch law is the practice of punishing men for crimes or offences, by private, unauthorized persons, without a legal trial. The term is said to be derived from a Virginia Farmer, named Lynch, who thus took the law into his own hands."

Chamber's Encyclopaedia.—"Lynch-law, the name given in the United States of America to the trial and punishment of offenders in popular assemblies without reference to the ordinary laws of the country. This barbarous mode of administering justice has always

more or less prevailed in every country in times of great popular excitement, and has been necessarily resorted to in countries newly settled, where the power of the civil government is not yet sufficiently established. The name is derived by Webster from a Virginia farmer; but a more interesting history is found in the story of James Lynch, mayor of Galway about 1495, who in the spirit of Brutus with his own hand, hanged his son from a window for murder."

JOHN BOUVIER.

"Lynch-law, a common phrase used to express the vengeance of a mob, inflicting an injury and committing an outrage upon a person suspected of some offense."

The lynchers in effect say that our country is newly settled and is not yet sufficiently strong to punish its criminals. The silence and inactivity of our authorities beg the question and in effect say that while they very deeply deplore these outrages, the outlaws being in the majority they are powerless. This is an admission that the vicious, lawless class outnumber our good citizens. Would not every good citizen blush to admit this? Can our country afford this admission? Does it not hold up our people in an awful light? Is there not obliged to be a reaction which will call us in question for these things? It is not true that the authorities can not find out who commit these crimes. There is scarcely any effort upon the part of the lynchers to conceal their crimes nor themselves. The papers publish detailed accounts of these lynchings and lynchers and all but call their names. How came they by this information? It is bosh to say that the detectives with these clues could not hunt down the guilty parties. In the case where a boy raped a woman in South Carolina it is said that the woman's husband kicked his eyes out and, I think, called his name. If this man had personally encountered this boy and done this, I would starve on a jury before I would bring in a verdict of guilty. But he had a mob and did this. They took him from an officer of the law and killed him, and this was lynch.

The grand jury of Roanoke, Va., has broken this monstrous monotonous farce of "We, the jury, find that the deceased came to his death by gun-shots in the hands of parties unknown to the jury," and indicted a number of persons and among them, the chief of police. This is a healthy beginning.

The downfall of the Roman Decemvirate was due to outrages and unlawful conduct. Notably among them was the case of Virginia, the daughter of Virginius. This beautiful girl was just blooming into womanhood and was betrothed to Icilius. Appius Claudius, the Decemvir, lusted after her. He planned to get her. With this view he ordered M. Claudius to seize her and claim her for his slave. The trial would be before him and he had planned to render a decision in favor of M. Claudius with the understanding that he would secretly turn her over to him. She was claimed and seized by this man on her way to school. The trial came before Appius and he decided that she should be delivered to M. Claudius until her father should appear and prove her his daughter. This was to be the next morning. Her father was in the army twenty miles from Rome. Appius sent a secret message to the general in the army not to grant Virginius leave of absence. His friends, meanwhile, had sent him word. When Appius' messenger got to the army Virginius was half way to Rome.

The people all knew this was contrary to the law which Appius himself had framed. The people clamored for justice. Teilius and the uncle of the girl argued boldly against the legality of the judgment and Appius fearing a tumult among the people, ordered that she be left in their hands upon the condition that they give bail to bring her before him the next morning and that if her father did not appear he would give her to her pretended master. His intention was to get him away. Virginus seeing Appius' intention, asked to be allowed to take the girl aside to inquire closely of her if he was her father, that if he was not he could bear her loss more easily. This was granted and he took her off a piece, snatched up a butcher's knife and said to her "by this means only can I keep thee free," and stabbed her to her heart. He returned waving the bloody knife Appius ordered him arrested, but the people were in sympathy with Virginus and made way for his escape. He returned to the army, told his story and immediately the soldiers left their Decemviral generals and marched to Rome. The city was surrounded by them; the senate was immediately called and appointed a committee to negotiate terms of peace with the Plebeians. The Plebeians demanded

1st. That the Tribunalship should be restored and the Comitia Tributa recognized.

2nd. That the right of appeal to the people against the power of the supreme magistrate should be secured.

3rd. That full indemnity should be granted to the movers and promoters of the late secession.

4th. That the decemvirs should be burned alive.

The senate committee agreed to all but the fourth. They said that was unworthy of a free people. That it was a piece of tyranny as bad as the worst acts of the late government. That it was needless because if any one had any reason of complaint against the late Decemvirs, they might proceed against them according to law. The wisdom of these words had the desired effect and the Plebeians withdrew their fourth demand. This is exactly my contention. I do not deny that a great crime has been committed nor that it should not be punished by death, but that we should proceed according to law. It will be seen that this violation of law and the blood of Virginia overthrew the Decemvirate of Rome. The Tribunalship was established and Virginus was elected one of the Tribunes. He singled out Appius and had him put in prison and refused him bail unless he could prove that he did not assign Virginia to be a slave until she proved that she was free. This was impossible and he was thrown into prison where he killed himself. Then followed the execution of Oppius and when others were about to be executed M. Duillius came forward and said "Enough has been done to vindicate justice and to uphold freedom. Further punishment would bear the semblance of revenge and make it much more difficult to reconcile the two parties." I submit that enough of this unlawful and inhumane murdering has been done to vindicate the pride and morality of the South. Enough has been done to show that rape has aroused the indignation of a chivalrous, virtue-loving people. Enough has been done to vindicate outraged justice. O, that a Duillius would appear at this terrible crisis to utter such words of wisdom. We are willing to bury the past and hope for the future because God knows that enough of this bloody work has been done. What it has not vindicated it cannot vindicate.

What it has not accomplished it cannot accomplish. The terror it has not excited it cannot excite. It is enough of that kind of business and I pray you, my countrymen, in God's name, to stop and stop now.

When Appius planned this outrageous, unlawful course with Virginia, he did not dream that he would be called in question for it. The entire Decemviral body was called in question for their conduct and paid for it dearly. Alexander, Caesar, Nebuchadnezzar, Belshazzar, Antiochus, the Maccabees, Herod and a host of others too numerous to mention were called in question for their conduct. This country has been called in question for traffic in human slavery. When the slaves were not profitable at the North, the North shipped the slaves to the South, and later on the North endeavored to shift the responsibility to the South. But when the day of retribution came, the North in common with the South was called in question for this sin and both sacrificed much property, millions of dollars, and the blood and lives of hundreds of thousands of as noble men as any country ever produced. It was an awful calling in question. It was a bloody answering. This country has not yet fully recovered from that terrible judgment. I tell you, my friends, a just God lives and presides over the destiny of nations, and we are in danger to be called in question for these days of uproar. May the mighty God of Jacob pity our nation and a loving heaven smile gently on our country for Jesus' sake.

AMEN.

